

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY PEOPLES,

Plaintiff,

v.

RAUL MACHUCA, et al.,

Defendants.

Case No. [19-cv-05468-RMI](#)

**ORDER DENYING MOTION FOR
RECONSIDERATION**

Re: Dkt. No. 151

Plaintiff, a state prisoner, filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. On August 23, 2024, Plaintiff filed a motion to withdraw consent to the jurisdiction of a Magistrate Judge. (dkt. 143). The motion was referred to the general duty district judge for resolution (dkt. 147) and on September 25, 2024, the motion was denied (dkt. 149). On October 11, 2024, Plaintiff filed a motion for reconsideration. (dkt. 151, 152).

Northern District of California Local Rule 7-9 permits the filing of a reconsideration request only with respect to interlocutory orders made in a case prior to the entry of final judgment. *See* Civil L.R. 7-9(a). No pre-judgment motion for reconsideration under Local Rule 7-9 may be brought without leave of court. *Id.* The moving party must specifically show: (1) that at the time of the motion for leave, a material difference in fact or law exists from that which was presented to the court before entry of the interlocutory order for which the reconsideration is sought, and that in the exercise of reasonable diligence the party applying for reconsideration did not know such fact or law at the time of the interlocutory order; or (2) the emergence of new material facts or a change of law occurring after the time of such order; or (3) a manifest failure by the court to consider material facts which were presented to the court before such interlocutory order. *See* Civil L.R. 7-9(b).

1 Plaintiff has not sought leave to file a motion for reconsideration. Even looking to the
2 merits of the motion, it should be denied. Plaintiff repeats the same arguments from his original
3 motion to withdraw consent and has not demonstrated that any of the factors above are met to
4 warrant reconsideration. The motion for reconsideration (dkt. 151) is **DENIED**.

5 **IT IS SO ORDERED.**

6 Dated: November 18, 2024

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9 ROBERT M. ILLMAN
10 United States Magistrate Judge
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